# Management Direction for the Ansel Adams, John Muir and Dinkey Lakes Wildernesses

# **Final Environmental Impact Statement**

Volume 1 of 2 (Summary, Chapters 1 – 9)

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**Forest Service** 

Pacific Southwest Region

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# Madera, Mono, Fresno, and Inyo Counties, California March 2001

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# **CHAPTER 1**

# Purpose and Need

# **Introduction**

On August 12, 1992, the Forest Service published a Notice of Intent for preparation of Draft Environmental Impact Statement (DEIS) in the Federal Register. In November 1997 the Inyo, Sierra and Sequoia National Forest Supervisors released a DEIS that proposed to revise management of the Ansel Adams, John Muir, Dinkey Lakes and Monarch Wildernesses. After nearly one year of public scrutiny and receiving over 2000 comment letters, the three Forest Supervisors decided to issue a Revised DEIS (RDEIS). The RDEIS was released for public review in August 2000.

In April of 2000 the Sequoia National Monument was established through Executive Order of the President of the United States. Portions of the Monarch Wilderness are within the boundaries of the National Monument. In June of 2000 with the implications of the newly established National Monument, and conditions set forth in the executive order to prepare a monument management plan, the three Forest Supervisors decided to withdraw the Monarch Wilderness from this analysis.

In four alternatives (Alternatives 1, 1-Modified, 2, 4), this Final Environmental Impact Statement (FEIS) proposes amendment and supplementation of the direction currently found in the Land and Resource Management Plans (Forest Plans) for the Inyo and Sierra NFs within Madera, Fresno, Mono and Inyo Counties (Figure 1.1) and would replace the existing management plans for these wilderness areas. This document specifically addresses management strategies for the Ansel Adams, John Muir, and Dinkey Lakes Wildernesses (Figure 1.2). It does not consider, nor affect, management strategies for the remaining wildernesses within these two Forests. Those specifically **not affected** by this document are the Kaiser, Golden Trout, South Sierra, Dome Lands, Boundary Peak, Inyo Mountains, and Hoover Wildernesses.

This FEIS addresses three topics associated with overall multi-forest level management direction for the Ansel Adams, John Muir, and Dinkey Lakes Wildernesses:

- 1. Visitor Use Management
- 2. Commercial Services Management
- 3. Recreational Packstock Management Including Noxious Weed Management

Five alternatives are described, including "no action" which is current management direction. This FEIS describes and discloses the environmental consequences of the various alternatives to meet the intent of the National Environmental Policy Act (NEPA), "to assure that environmental information is available to public officials and citizens before decisions are made and before actions are taken. The information must be of high quality. Accurate scientific analysis, expert agency comments, and public scrutiny are essential to implementing NEPA. Most important,

these documents must concentrate on the issues that are truly significant to the action in question rather than amassing needless detail."

This FEIS is not a decision document. The responsible officials will document the reasons for their decision in a separate Record of Decision (ROD), which will be released along with this FEIS.

# **Background**

The Wilderness Act of 1964 established the John Muir and Minarets Wildernesses. The California Wilderness Act of 1984 enlarged both of these areas and changed the name of the Minarets Wilderness to the Ansel Adams Wilderness. It also established the Dinkey Lakes Wilderness.

All three of these wildernesses are contiguous and lie within the administrative boundaries of the Inyo and Sierra NFs. The John Muir and Ansel Adams are located on both the Inyo and Sierra NFs. The Dinkey Lakes is located wholly on the Sierra NF.

# **Relationship to Land & Resource Management Plans** (Forest Plans)

# **Wilderness Planning**

Forest Service planning is accomplished at two levels: programmatic and project specific. This FEIS contains programmatic direction that, upon issuance of a decision, will amend and supplement the wilderness management direction in each Forest Plan. Project specific planning will then be initiated to implement this direction. Specific projects will undergo additional analysis, as appropriate, before being implemented on the ground.

All three wildernesses fall under the jurisdiction of individual Forest Plans -- Sierra (1991), Inyo (1988). Each Forest Plan currently contains general management direction applicable to all respective wildernesses within each Forest. This direction includes multiple use goals and objectives, forest-wide standards and guidelines, management area direction (prescriptions), and monitoring and evaluation requirements.

The Inyo (1988) and Sierra (1991) Forest Plans incorporate the John Muir (USDA 1979) and Minarets Wilderness Management Plans (USDA 1978), which were prepared cooperatively, with direction for them to be revised or updated (p. 97 – Inyo and p. 1-1 Sierra) to address newly designated wildernesses. There is no existing management plan for the Dinkey Lakes Wilderness.

The action alternatives displayed in this document propose to amend portions of each Forest

Plan's management direction and monitoring requirements specific to these three wildernesses. Other wilderness direction related to other wilderness areas is not being changed as part of this analysis. These Forest Plan amendments conform to Forest Service policy (Forest Service Manual (FSM) 2322.2) which states that Forest Plan amendments for wilderness follow the procedure in 36 CFR 219.10(f) and FSM 1950.

Forest Plans are comprehensive guidance documents for all resources. Although management direction specific to wilderness is important, direction for other resources found in Forest Plans including the *Sierra Nevada Forest Plan Amendment*, is also applicable within wilderness. This document tiers to those decisions and will be consistent with their direction (See Appendix A).

#### **Forest Plan Amendment**

Amending each Forest Plan entails modifying management direction specific to these three wildernesses. As required by FSM 2322.03.1, depending on the selected alternative, new management direction will be created for each congressionally designated wilderness.

Figure 1.1. Location Map

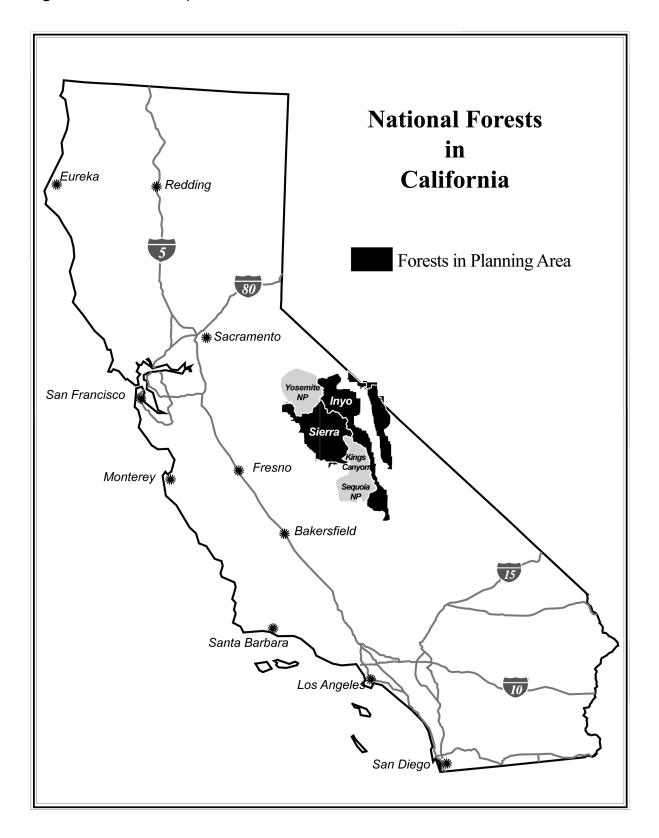
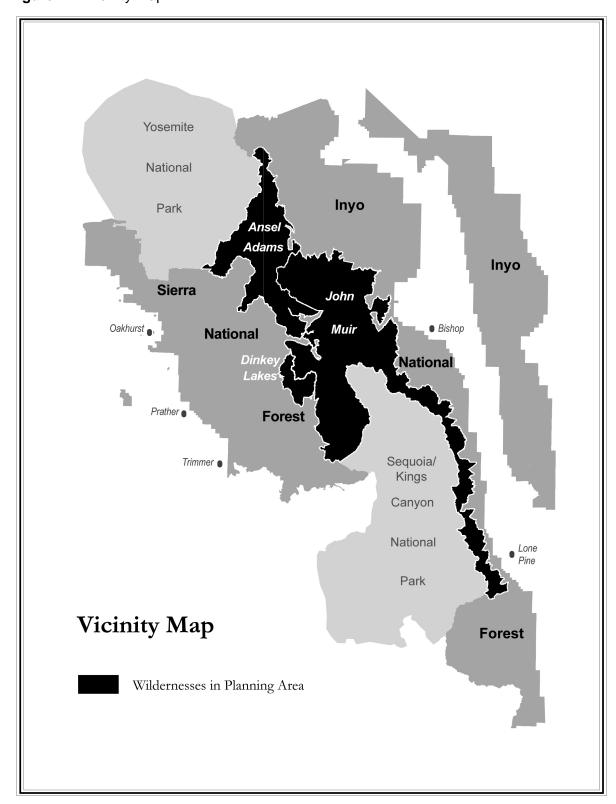


Figure 1.2. Vicinity Map



# **Purpose and Need**

The purpose of the proposed action is to provide new direction and replace the wilderness plans for the John Muir and Ansel Adams Wildernesses and provide new direction for the Dinkey Lakes Wilderness. The need for this action is based on the following:

- Ensure consistency with current Forest Service policy. Forest Service wilderness
  management national policy was revised in 1990. Both the John Muir and Minaret
  (Ansel Adams) Wilderness Management Plans pre-date the revision of national
  wilderness policy.
- 2) Meet Forest Plan direction. The Inyo and Sierra Forest Plans provide direction to review and revise or update the John Muir and Minarets (Ansel Adams) Wilderness Management Plans (Inyo pp. 97, Sierra pg 1-1)
- 3) Ensure that management direction meets the intent of the California Wilderness Act (Public Law 98-425, September 28, 1984). This law changed the name and boundaries of the Minarets to the Ansel Adams Wilderness and designated the Dinkey Lakes Wilderness.
- 4) Provide consistent management direction to all three wildernesses.
- 5) Ensure that the concerns of the involved Indian Tribes are considered and addressed as needed.
- 6) Provide changes to management direction in three topic areas: (a) Visitor Use Management; (b) Commercial Activities; and (c) Recreation Stock Forage.

# **Proposed Action**

The Forest Service proposes to replace existing management direction specific to the John Muir, Ansel Adams and Dinkey Lakes Wildernesses on the Inyo and Sierra NFs. Provide changes to management direction in three topic areas: (a) Visitor Use Management; (b) Commercial Activities; and (c) Recreation Stock Forage – Including Noxious Weed Management.

In summary, the proposed action addresses the following:

#### Visitor Use

The proposed action includes a range of recreational wilderness opportunities based on visitor use patterns and environmental resource capabilities. It identifies appropriate management actions that consider acceptable levels of use and their associated environmental impacts. Management direction is provided for trail management consistent with the amount and type of use as well as the suitability of specific areas. Management direction for managing campsite conditions is identified and monitoring protocols established.

The proposed action provides management direction that protects existing standing woody vegetation and resources dependent upon dead and downed wood. This includes a combination of elevational campfire closures in sensitive habitats and site-specific campfire closures based on existing resource conditions. Management direction is provided that evaluates campsite and resource conditions and identify areas that may need corrective actions.

#### **Commercial and Non-Commercial Allocations**

The proposed action includes management direction that allows for commercial use, but provides for temporal and spatial constraints consistent with the management of non-commercial public use. It ties to an assessment of the need for commercially outfitted and guided activities. It provides a framework for making future decisions on commercial activities.

#### **Recreational Stock Forage Management**

The proposed action includes management direction that identifies forage utilization standards, in conjunction with rangeland capability and suitability criteria. This includes range readiness protocols, visitor use management, and grazing strategies to achieve desired conditions. It also provides consistent direction for handling packstock and evaluating existing or new facilities, such as corrals.

The proposed action includes management direction for noxious weed management practices applicable and relevant to packstock management in a wilderness setting. It would be consistent with management direction described in *the Sierra Nevada Forest Plan Amendment*.

#### **Decisions To Be Made**

The decision to be made is whether or not to adopt new management direction specific to the John Muir, Ansel Adams and Dinkey Lakes Wildernesses. If adopted it would result in some amendments to each respective Forest Plan and would supercede existing management direction (John Muir and Minarets Wilderness Plans, Sierra 4.5.28 (#367-370).

# **Responsible Officials**

The respective Forest Supervisors for the Inyo and Sierra NFs are the responsible officials for these Forest Plan amendments. The decision will be documented in a Record of Decision (ROD).

# **Public Participation**

#### **Public Involvement**

Public involvement during the development of the DEIS, RDEIS, and the FEIS has been an extensive process. The emotional attachment people have for wilderness, and the long history of use in these areas, has resulted in deep sentiment regarding all aspects of its management. Our goal has been to create a structured process where people may provide detailed information on all aspects of wilderness management in the planning area.

#### **Notice of Intent and Call For Comments**

On August 12, 1992, the Forest Service published a Notice of Intent for preparation of DEIS in the Federal Register. In March of that year more than 3,000 scoping letters were sent to individuals, agencies, and groups who might have an interest in the wilderness planning process.

This initial scoping was followed by a series of meetings with a "public involvement team" (PIT), formed to facilitate dialogue on the issues and help the agency formulate alternatives. The PIT team began meeting in 1993 and met fifteen times, concluding in February 1995. All meetings were open to the public and comments were accepted. Newsletters documenting the progress and content of these meetings were distributed to the full mailing list and are a part of the planning file.

The DEIS was then released in November 1997. The agency was solicited by a wide number of individuals and organizations to extend the standard 90-day comment period in order to have a field season to assess the effects of the plan's actions on the ground. It was also viewed as a large document warranting more time for understanding. The three Forest Supervisors granted the extension to allow public comment until November 1998. A number of public meetings and mailings were conducted to provide clarification on the direction of the DEIS.

At the end of the comment period 2,091 letters were received. The two Forest Supervisors took the public comments, and focused the planning efforts on preparing a revised DEIS that addressed key management concerns and public issues.

Throughout this process, the agency has provided the public with information being used to formulate the alternatives. Efforts were made to link this information to comments that were received on the original DEIS and the RDEIS. Newsletters were sent to the mailing list in May 1999, September 1999, and April 2000. In June 1999, public meetings were held in Bishop and Clovis, California, to communicate the process for conducting a needs assessment to the public, and to show our data collection strategy for the field season. In January and February 2000,



public meetings were held throughout California, including Bishop, Mammoth Lakes, Glendora,

Ventura, Escondido, Clovis, Berkeley, and San Francisco. The intent of these meetings was to share work in progress in developing a new alternative and share data that had been collected from the 1999 field season.

A Notice of Intent to prepare a Revised Draft Environmental Impact Statement (RDEIS) was published in the Federal Register on June 2, 2000. This notice did not solicit additional public comment. It was determined that due to the large number of public comments to the draft EIS and many public meetings held throughout the post draft period, adequate public input had been obtained.

The Forest Service released a Revised DEIS in August 2000 for a 90-day public comment period. During that period over 1700 comment letters were received. Also during that time numerous public meetings were held. A series of meetings were held early in the comment period to help the public to understand the RDEIS and in particular the changes from the original DEIS. These meetings were held in Mammoth Lakes, Bishop, Lancaster, Los Angeles, Sacramento, and Clovis California. Following these meetings we held a series of public hearings to accept comment on the RDEIS. These hearings were held in Bishop, Mammoth Lakes, Clovis, and Oakhurst, California.

The Forests contracted with a Content Analysis Team (CAT) to provide an unbiased review and database of the public comments received on the RDEIS. This CAT identified over 600 separate comments and provided these to the Interdisciplinary Team for response. The Interdisciplinary Team took these comments and responded to them. The response is included in Appendix M.

# **Significant Issues**

Given the enormous interest and conflict apparent from public comments received on the original DEIS the Forest Supervisors arrived at a set of significant issues for the RDEIS through assessing the disagreements and items needing the most attention within the planning area. These disagreements were then compared to the proposed action by the interdisciplinary team and a set of issues emerged. The Forest Supervisors then examined these issues and the significant issues were identified. These have been compiled into broad themes and are described below. These significant issues were not changed for the FEIS.

# Social Conditions: zoning, capacity, quotas, crowding, and day use

A long history of public use and enjoyment, and numerous areas of high visitation with popular destinations characterize the planning area. Since restrictions on access began in the 1970s, the public has generally been accepting of visitor management practices, including trailhead quotas, and site-specific closures to campfires and camping. However, the continued addition of management controls and regulations over time has resulted in a feeling of loss of freedom for some visitors.

Wilderness is managed for social as well as ecological, historical, and scientific values. Social values are often contentious, with various viewpoints and interpretations on what, how, or if they

should be managed. Some people believe that management actions designed to protect these values is "social engineering." Others are concerned that management actions are too weak. They feel that a lack of management compromises social conditions by not adequately protecting wilderness character, including opportunities for solitude which have become synonymous with wilderness for some people.

User groups are often in conflict with each other, including hikers and stock users (Watson et al 1992), outfitted and non-outfitted, large groups and individuals. These conflicts can affect a visitor's experience.

#### "Zoning"

Management strategies intended to define settings for visitor use, described as "zoning" by some members of the public, are a concern to many people. Some people believe that the wilderness should not be "zoned" but is, in itself, a "zone" at the pristine end of the spectrum. They believe that high levels of use anywhere within wilderness should not be allowed. Others are opposed to "zoning" for different reasons. They feel that wilderness should be managed uniformly across the landscape but in a way that allows for maximum visitor freedom and unrestrained use.

#### Capacity

Management activities in the 1970's were driven by the concept of carrying capacity. This was applied to the John Muir and Ansel Adams and resulted in the current framework of trailhead quotas (caps on overnight use), and limits placed on authorized commercial activities. There has been considerable change in management philosophy in the past twenty years. It is more common today that planning strategies use a framework that focuses on impacts rather than use levels as a method for determining capacity.

The concept of capacity assumes a direct relationship between use and impact. It is based on a notion of probability that reducing use will reduce impacts. Some people believe a direct relationship exists between use and impact. They expect carrying capacity to be determined and serve as a reliable trigger of resource impacts. Others believe that use levels are not the most important element to be restricting. They feel more site-specific or direct controls may relieve impacts better than limiting use.

#### **Use Limitations**

Trends in activities and travel patterns change over time. Continued growth in visitation causes managers to attempt management actions that ensure the effects on the visitor experience and the condition of the resource are considered. Some people have expressed concern over management actions that infringe upon the freedom of visitors' activities within wilderness. Others express concern over a perceived lack of actions they believe have resulted in unacceptable resource damage, or actions that do not adequately reduce use or resource impacts. The managers' challenge is to determine the best methods for minimizing impacts to the wilderness resource while maximizing visitor freedom within wilderness.

#### **Crowding**

Many people expect to have high opportunities for solitude within wilderness. Some are sensitive to the numbers and types of visitors they encounter. Some prefer to see no one, while others plan their trips to avoid areas where others congregate. Some do not mind seeing other visitors while traveling and even camp in close proximity to other parties. There is a wide range of tolerance to crowding by the visitors to these wildernesses.

#### Day Use

The number of people day hiking in wilderness are increasing, especially in areas that are easily accessible. These areas are very popular and social and physical impacts are becoming evident. There is also an increase in the length of day hikes. Both overnight and day uses are considered to impact solitude as well as resource conditions. There is disagreement over whether day users have the same level of impact as overnight users, and a concern that overnight use is limited but day use has been allowed to increase without limits.

Resource Conditions: Campfire Restrictions, Setbacks from Water, Campsites, User-created Trails, Cross-Country Party Size, Recreational Packstock Grazing Management, Equity between Commercial and Noncommercial access, and Trail Maintenance Levels

When not managed carefully, human activities can adversely affect resource conditions including, vegetation, soil condition, water quality, and wildlife habitat. Law and policy require the Forest Service to protect soil and water quality and to manage vegetation and aquatic habitat to protect and provide for fish and wildlife. There is considerable disagreement on what is an acceptable level of resource impacts. There is uncertainty and much disagreement as to what protection measures are adequate to assure suitable and sufficient terrestrial and aquatic habitat as well as protecting soil and water quality. Some people feel that the protective measures recommended by Forest Service scientists and managers unduly restrict their access and enjoyment of the wilderness.

#### **Campfire Restrictions**

The use of standing dead and downed trees and woody material for campfires and structures affects wildlife, soils, and vegetation. The whitebark pine is particularly susceptible to impacts from firewood consumption because productivity is relatively low and consumption is high in popular areas (Cole, 1989, Davilla, 1977). Some locations are currently closed to campfires due to resource impacts. Closures can result in conflicts for those who desire campfires as part of their wilderness experience.

#### **Setbacks from Water for Campsites**

There is disagreement about what are acceptable levels of resource impacts in riparian areas. The public has expressed concerns about recommended distances from water (setbacks) for certain activities, such as camping. They question whether these setbacks are necessary to reduce erosion, sedimentation, and contamination to protect lakeshore /streamside stability

and water quality. They are concerned that these setbacks will eliminate favorite campsites near valued destinations.

#### **Campsites**

The proliferation of fire rings and damage to vegetation and riparian areas require management actions to prevent further unacceptable impacts. There is some disagreement about whether the proliferation of campsites, especially at popular destinations, requires management actions to sustain a level of use that does not greatly diminish the experience of the visitor. Some people feel that the wilderness does not need that level of management. Some visitors' experiences are affected by the resource impacts associated with campsites.

#### **User-Created Trails**

There is a wide variation of concern over user-created trails, especially in fragile subalpine and alpine zones. Concerns include physical impacts, lack of maintenance, and resulting erosion. Some users object to any management of user-created trails, fearing that management actions will limit their freedom of travel. Other concerns focus on agency standards for maintaining or obliterating these trails.

#### **Cross-Country Party Size**

Most visitors that leave trails for cross-country travel do so to experience a higher level of solitude than can be found near trails. For those people, meeting large parties of people and stock (currently allowed, fifteen people and twenty-five stock) can impair the experience they are seeking. They would prefer to see smaller parties allowed off trails. Larger parties traveling cross-country can result in the unintended development of new user-created trails, sometimes in environmentally sensitive areas.

#### **Recreational Packstock Grazing Management**

Public concerns regarding recreational packstock vary widely. There is disagreement on the degree and kinds of impacts to meadow and riparian resources resulting from packstock grazing. There is disagreement about guidelines for the appropriate kind, amount, utilization standards, timing and location of packstock grazing to minimize impacts to riparian and meadow resources. There is concern for the potential of noxious weeds to be spread by animals grazing in meadows through their wastes and as a result of using contaminated supplemental feeds in lieu of grazing.

Some people feel there should be more restrictive guidelines in place than current limitations on recreational riding and packstock; others feel that some packstock, such as goats and llamas should be excluded from the wilderness. Goats and dogs are currently prohibited in habitat occupied by Sierra Nevada bighorn sheep, and endangered species, on the Inyo NF (Emergency Order No 04-00-01) as well as in the Bighorn Sheep Zoological Areas which intersect the John Muir Wilderness in the southeast portion of the planning area (see map).

#### **Equity between Commercial and Non-Commercial Access**

Forest Service direction indicates the need for and role of outfitters will be addressed in Forest Plans (FSM 2323.13g). Concerns specific to the planning area include the amount, type, distribution of use and different methods of obtaining access and limiting use between commercial and private users.

Commercial operations are limited through the Special Use Permit (SUP) process, including limitations and restrictions identified in accompanying annual operating plans. Access is currently regulated for commercial pack stations and mountaineering guides through service day allocations and the number of stock permitted. Other commercial users and private parties are subject to daily quotas. There is disagreement on whether commercial use should be limited in the same way as the private user.

There is criticism on the current Forest Service practice of a dual system of daily quotas for some commercial operators and private users versus a broad annual service day allocation to other commercial pack stations and mountain guides. The resulting spikes in use caused by these commercial groups, especially on weekends and holidays, may counteract the intended purpose of a daily quota. There is some public concern that the current practice allows users to bypass the non-commercial quota and obtain access to the wilderness by purchasing commercial services.

There is disagreement on how much, or even if, growth should be allowed for commercial services. Some want the agency to accommodate additional use and focus on supporting local economies. Some are concerned that as the population increases, its availability of leisure time and desire to recreate on public lands must be accommodated. Some maintain the Forest Service should understand the needs and maintain the economic viability of commercial operations and management of lands and resources. Conversely others demand that the agency focus on the ecosystem health and wilderness values as outlined in the Wilderness Act. Still others feel that the health and values of the wilderness character and preservation should drive management, not the economics or need to provide for an increasing population.

#### **Trail Maintenance Levels**

Trails have been inventoried and maintenance levels established within the planning area. See Appendix C for the current trails inventory. However, some users are concerned that trails are not maintained at stated levels and should be monitored more closely. Others are concerned that maintaining or upgrading trails to higher maintenance levels may lead to increases in recreational use, in particular stock use.

# **Significant Issues Mitigated in All Action Alternatives**

## **Heritage Resources and Tribal Relations**

Archaeological and historic sites, some with contemporary tribal use and concerns attached to them, are known to exist throughout the planning area. These resources are generally fragile, non-renewable, and susceptible to impact from any land disturbing use. Programmatic approaches to managing resources of heritage concern have been developed in consultation with affected tribes, the State Historic Preservation Officer (SHPO), the Advisory Council on Historic Preservation and interested parties. A Programmatic Agreement (PA) has been developed to address heritage resource concerns.

#### Threatened, Endangered, Proposed and Sensitive (TEPS) Species

Considering the recent severe declines in the populations of the Sierra Nevada bighorn sheep, and its listing as Endangered by the U.S. Fish and Wildlife Service (FWS) in January 2000, it is critical that all potential threats to sheep survival that fall within the management authority of the Forest Service be addressed.

A related issue is wilderness visitors bringing dogs with them into occupied bighorn sheep habitat. On the Inyo NF, Forest Order #04-00-01 excludes dogs and domestic goats from occupied bighorn habitat within the planning area. Bighorn sheep have been observed reacting fearfully to the presence of dogs. This action falls under the definition of "take" under the Endangered Species Act (ESA). "Take" is defined as: "To harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." (ESA Sec 3). The definition of "harass" in the Code of Federal Regulations (CFR) is: "An intentional or negligent act or omission which creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavior patterns, which include, but are not limited to, breeding, feeding, or sheltering." (50 CFR 17.3).

The ESA requires that the Forest Service consult with the FWS regarding any actions that "may affect" all listed species, adversely or positively. It is the Forest's responsibility to identify potential "may affects," analyze them, and work in coordination with FWS to cooperatively develop appropriate mitigation measures to prevent adverse effects.

The Piute and Lahontan trout, and bald eagle have approved recovery plans in place. Management activities will be consistent with these plans. The bighorn sheep recovery plan is under preparation. We continue to work with the interagency group to assure that concerns with activities related to bighorn sheep are addressed. Once the recovery plan is complete, it will be incorporated into the wilderness plan direction.

All threatened, endangered, proposed, and sensitive species will be protected in all alternatives.

Sensitive species and species proposed for listing have been addressed in the *Sierra Nevada Forest Plan Amendment* and will be managed under those standards and guidelines.

# **Issues Outside the Scope of this Analysis**

#### **Party size (Except for cross-country)**

The current party size was established in 1991. It is fifteen people and twenty-five head of stock with specific criteria for granting exceptions. The current party size was established and published in 1991 in the Federal Register through a rulemaking process. Prior to this, the maximum party size was twenty-five people with no limits on the number of stock. This limit was imposed throughout the central Sierra Nevada including these three wildernesses, wildernesses on the Stanislaus NF as well as Yosemite National Park. Considerable public review of the party size limits was completed prior to the implementation of these local regulations. Existing limits have been reviewed and determined sufficient for this planning effort.

#### **Trailhead Facilities**

Trailhead facilities and associated environmental impacts are outside of the wilderness boundaries. Existing direction and site-specific NEPA analysis will be used to address individual trailhead facilities.

## **Production Livestock Grazing**

Congress has mandated that "there shall be no curtailment of grazing permits or privileges in an area simply because it is designated as wilderness" (sec 108, P.L. 96-560, H.R. Report 96-617). Those active grazing allotments, or portions thereof, that reside within the planning area will be analyzed under each Forest's Allotment NEPA Schedule (Forest Service 1997) in accordance with the Rescission Act of 1995. Programmatic analysis of forest plan direction for production livestock grazing has been addressed in the following documents: (1)Sierra NF LRMP Amendment, An Environmental Assessment of Utilization Standards for Determining Proper Use of Available Forage for Commercial Livestock, Decision Notice and Finding of No Significant Impacts (1995), (2) Inyo NF LRMP Amendment #6 - Forest Wide Range Utilization Standards, Decision Notice and Finding of No Significant Impacts (1995), and (3) Pacific Southwest Region Sierra Nevada Forest Plan Amendment, ROD (2001). These Forest plan amendments for production livestock grazing, including wilderness, have provided adequate direction for modification of current grazing permits.

# Dogs

Currently there is a Forest Order in effect, which prohibits dogs and goats from occupied Sierra Nevada bighorn sheep habitat within the planning area. There is no policy prohibiting dogs from being in the rest of the wilderness. Dogs continue to be prohibited in the California Bighorn Sheep Zoological Areas and in adjacent National Park wilderness.

## **Fisheries Management**

All management direction pertaining to fish stocking contained in the RDEIS has been removed in this FEIS. Fish stocking will be managed under the existing Memorandum of Understanding between the Forest Service and the California Department of Fish and Game (CDFG). In addition, management strategies for aquatic sensitive species were identified in the *Sierra Nevada Forest Plan Amendment* and this EIS will be consistent with these management strategies. CDFG is currently working in cooperation with FWS and the Forest Service to resolve these issues for several species of concern, including the mountain yellow legged frog and the Yosemite toad, both which have been petitioned for listing for protection under the Endangered Species Act.

#### **Non-Native Wildlife**

Existing wildlife and wilderness policy provides direction on non-native wildlife. This direction instructs managers to not introduce non-native wildlife into wilderness areas.

#### **Education**

Wilderness education is a valuable tool that can assist in preventing user-caused impacts to wilderness values and resources. Education in and of itself is not an action that requires NEPA analysis.

# **Off-Highway Vehicles**

There have been comments and concerns about the effect of the RDEIS on the Dusy-Ershim 4-wheel drive trail. This trail is located outside of the wilderness boundaries and is authorized by the *California Wilderness Act of 1984* (U.S. Senate 1984). However, management direction prescribed for wilderness adjacent to the trail may indirectly affect use of some wilderness sites accessed from the trail. Other OHV issues highlighted in the public comments are outside the scope of this analysis since the wilderness areas are closed to motorized use. These issues are best addressed with existing Forest Plan direction.

# **Fire Management**

Appendix H, Prescribed Natural Fire Plan (Draft) was removed from the RDEIS and is not included in the FEIS. Prescribed fire was addressed in the Sierra Nevada Forest Plan Amendment and will not be further addressed in this analysis.

# **Air Quality**

There is concern that air quality over the planning area may not be maintained in a condition of non-degradation. Existing Forest Plan wilderness direction provides for maintaining and monitoring Class I and II airsheds. No further management direction is planned to address air quality in this analysis.

# **Site-specific Project Decisions**

Forest Plan implementation of wilderness direction would occur based upon available workforce and funding. Further site-specific NEPA analyses would be conducted when necessary to determine appropriate project decisions.

# **Environmental Justice (Executive Order 12898)**

The following discussion is adapted from the Sierra Nevada Forest Plan Amendment and is in accordance with Executive Order 12898 -- Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations (Clinton 1994).

With rapidly growing populations and changing demographics in the Sierra Nevada and throughout the state of California, engaging everyone in management of these wilderness areas is an increasingly complex task. For example, more than fifty-nine distinct languages are spoken in California's schools; ethnic diversity among forest users and interest groups has added more complexity to the need to reconcile competing values for an increasingly pressured landscape. Many new and revived uses for resources in the National Forests (e.g. medicinal plants) or new forms of recreation (e.g. mountain bikes) and new attitudes about aesthetic enjoyment bring diverse interests into the debate over National Forest wilderness management. Equity and access are the two key issues for which the Forest Service is held accountable by law and public sentiments. The Forest Service is committed to developing improved notification and communication strategies to better engage and educate diverse communities.

Minority and low-income populations are defined in USDA regulations directing its agencies to integrate environmental justice considerations into their programs and activities (USDA 1997). In addition, USDA policy is concerned about disproportionate effects of proposed actions on elderly and people with disabilities. Effects of proposed actions on these populations are considered in the assessment of consequences in this FEIS.

Approximately 16 Indian tribes and communities are historically known to have used these wildernesses. Most tribes have an uninterrupted history of wilderness use for traditional cultural practices. Tribal representatives have expressed general concern about government-to-government consultation, the federal government's trust responsibilities to tribes, as well as specific concerns about: 1) access and use of culturally important areas, including trails; 2) ability to gather culturally important resources (plants, animals, rocks and minerals); and 3) protection of archaeological resources. A process for addressing tribal needs and concerns has been developed in a Programmatic Agreement discussed under the heading Heritage Resources.

#### **Consultation and Coordination**

Consultation and coordination will continue with state and federal agencies and tribal governments, including US Environmental Protection Agency, USDI Fish & Wildlife Service, California Department Fish & Game, Central Valley and Lahontan Regional Water Quality Control Boards, California State Historic Preservation Officer, Advisory Council on Historic Preservation, Tribal governments, communities and traditional practitioners and USDI Park Service.

Formal consultation responsibilities under the *Endangered Species Act* will be completed prior to issuance of the ROD. A Programmatic Agreement has been entered into with the California State Historic Preservation Officer and other interested parties, regarding wilderness management activities and programmatic procedures for identifying, evaluating impacts, and managing the heritage resources affected by those activities. There will be ongoing consultation with the State Historic Preservation Office, tribal governments, communities and traditional practitioners, to ensure compliance with the National Historic Preservation Act, Executive Memorandum, April 29, 1994 regarding government to government relationships, Executive Order 13007 regarding sacred sites, and the American Indian Religious Freedom Act of 1978 (P.L. 95-431).

Ongoing consultation and involvement will be continued with outfitter and guide permittees under responsibilities described in the Federal Land Policy and Management Act of 1976; also under responsibilities described in the Public Rangeland Improvement Act of 1978 in the development of Packstock Management Plan(s).

